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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,415	11/19/2003	Shigeru Miyamoto	723-1454	5323

27562 7590 02/04/2008

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EXAMINER	
WILLIAMS, ROSS A	

ART UNIT	PAPER NUMBER
3714	

MAIL DATE	DELIVERY MODE
02/04/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/715,415	MIYAMOTO ET AL.	
	Examiner	Art Unit	
	ROSS A. WILLIAMS	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11/13/07*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Claims 1 - 17 have been amended.

Claims 1 – 17 are currently pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1 – 4, 6, 8 – 12, 14, 16 and 17 are rejected under 35 U.S.C. 103(a) as being obvious over Miyamoto et al (US 7,115,031) in view of Mine et al (US 5,863,248) in further view of Kobayashi (US 6,431,982).

The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art

only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

Claims 1, 6, 8, 9, 14, 16 and 17: Miyamoto discloses a game system comprising a common display wherein a common game world is displayed and a plurality of handheld game units that are also connected to a game console and the common display (Miyamoto Fig 1). Miyamoto et al discloses at least one map storage location for storing map data based on which to display a game space (Miyamoto 8:48 – 63). Miyamoto discloses the use of first and second game characters, thus inherently disclosing at least one character storing locations (Miyamoto 8:49 – 52). Miyamoto discloses the use of operating mechanisms and the detection of these operation mechanisms for when the game player operates the game unit control switches for switching the game characters to an operation mode, wherein the game characters are

caused to be moved upon the display screens when the player switches to the game character (Miyamoto 8:33 – 47). Miyamoto further discloses the use of a common display wherein a broad extent or first viewpoint of the game space containing the first and second game characters is displayed based upon the stored game space map data and the stored data in the character locations stores, when the game player operates the controller mechanism to control the first game character (8:25 – 37, 14:28 – 33). Miyamoto further discloses the display of a narrow extent of the game space upon a second display output mechanism (i.e. the second users handheld device), wherein the narrow extent of the game is a viewpoint that is of the game character that is different from the common display viewpoint on the common display (Miyamoto 15:43 – 56). Miyamoto discloses that the handheld devices that contain the individual display screens provide control mechanism switches that the player is able to use to control the game characters on the display screens (Both the common and individual display screens). Miyamoto does not specifically disclose a game wherein the player controls a game character and in response to predetermined game conditions, and in response to the selecting of a first or second game character different extents of viewable gamespace is displayed. However Mine et al discloses the well known teaching that in many video games particularly sports video games, there are various methods of determining which game character is chosen to be the operable player character. For instance in the beginning of the game before the game begins, the player may select a game character to be the operable player character. The player may also be able to dynamically choose a game character to be the operable game character while playing

the game, such as by pressing a specific button (Mine 1:34 - 41). Another way in which to automatically select a operable player character is to base the game character switching on the player that is nearest to the ball or coordinates of the ball in the game (Mine 1:56 - 59). Kobayashi discloses a game wherein a display is used that provides the user with a display of variable extents of usable game space that varies in accordance with the operable game character that is switched upon a predetermined condition such as passing the ball to a game character. Kobayashi discloses a plurality of extents of the viewable display that are displayed to the user. Kobayashi discloses that the game screen consists of radar screen display that can be wide or narrow depending on the selected operable game character (Kobayashi 8:34 - 42). In response to the selected operable game character, a specific extent or view of the field will be displayed on the screen such as a B-type radar picture (Kobayashi 8:50 – 58). Further, Kobayashi discloses that the game screen can utilize multiple types of viewable extents of the gamespace that is displayed upon the display screen encompassing the first and second player controlled game characters (Kobayashi 7:25 - 44, 45 - 61, 7:63 - 8:9). As can be seen these views are different in viewable extent and

It would be obvious to one of ordinary skill in the art to modify Miyamoto in view of Mine and in further view of Kobayashi to provide a multiplayer game that provides game characters that are switchable to be operable by a player upon a predetermined conditions (i.e. a player activating a control switch) wherein upon a display multiple views such as narrow and wide extents depicting game characters are displayed on the screen. This would be beneficial due to the fact that some gamespaces are very large

and in order to accurately depict in detail the game space to the users the view of the game space would have to more narrow or close-up to than a full wide view of the game space.

Claims 2, 3, 10 and 11: Miyamoto discloses the use of at least two separate and discrete handheld devices that comprise individual display screens and individual game operation switched used for the controlling of the player's game characters (Miyamoto 8:33 – 48, 13:30 – 42).

Claims 4 and 12: Miyamoto discloses that use of multiple individual portable game units each possessing an individual game screen, which can be used in the game system. Each game unit may be used by a different player for the controlling of a second game character by means of a second control mechanism. The plurality of second game screens are separated thus they do not overlap each one another (Miyamoto Fig 1, 13:30 – 43).

Claims 5 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyamoto et al (US 7,115,031) in view of Mine et al (US 5,863,248) in further view of Kobayashi (US 6,431,982) in view of Kaku (US 2002/0013172).

Claims 5 and 13: Miyamoto fails to disclose a residual image that is displayed upon the second game screen along the trajectory of the first character for a predetermined period of time. However, Kaku discloses that the concept of motion blurring in video games is extremely well known in the video game industry. Specifically

by presenting on the game screen a residual image of a trajectory of a moving object such as a game character or a game character's moving body, the player is presented with a dramatic effect to demonstrate character movement (Kaku par 0012 – 0014).

It would be obvious to one of ordinary skill in the art to be motivated to modify Miyamoto in view of Mine and in further view of Kobayashi in view of Kaku to provide a means of presenting an residual image upon a video game screen to provide a player with a dramatic effect that simulates movement of a game character on a video game screen, thus making the game more enjoyable to the player.

Claims 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyamoto et al (US 7,115,031) in view of Mine et al (US 5,863,248) in further view of Kobayashi (US 6,431,982) in view of Madden 2000 instruction booklet (released July 31. 1999).

Claims 7 and 15: Miyamoto does not specifically disclose first and second score storage areas and table generation/update mechanism for generating table data for correlating scores between the operable game characters and the score storage areas. Miyamoto also fails to explicitly disclose a score adding mechanism for cumulatively adding points each time a first character scores and a score writing mechanism for writing the points added by the score adding mechanism to first score storage area when the player is associated with the first character and writing points added by the score adding mechanism to the second score storage area when the second player is associated with the first character. However Madden 2000 instruction booklet discloses

that up to eight players are allowed to play a football match and the up to eight players are able to select what team they want to play on (Madden 2000 page 9). Inherently to the game of football, only two teams are allowed to play a game of football at one time. Thus, at least some of the players will be playing on the same football team. Madden 2000 further discloses that the players can press a switching button that allows players to control game characters nearest to the ball by pressing the "x" button (Madden 2000 page 7). Madden further discloses that the game character accrue or accumulate various game statistics or scores according to how they play the game (Madden 2000 page 14). Thus it would be obvious to write and recorded game scores that are associated with various game characters when they are controlled by various players by means of the game character switching buttons.

It would be obvious to one of ordinary skill in the art to be motivated to modify Miyamoto in view of Mine and in further view of Kobayashi in view of Madden 2000 to provide various score storage areas (i.e. first and second areas) that are associated, updated and cumulated according to various players when they switch to different game characters in the game. It is well known that to track various scores and stats of game characters in a sports or competition game to enable the players to effectively compete with other players and provide an informative means to provide the player with a measure of their proficiency at playing the game.

Response to Arguments

Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROSS A. WILLIAMS whose telephone number is (571)272-5911. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on (571) 272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RAW
1/29/07

RONALD LANEAU
PRIMARY EXAMINER
2/4/08